

### REASONS FOR PATENTABILITY

Claims 1, 6 and 10 have been amended to eliminate the objections and the indefiniteness noted by the Examiner.

Claims 1 and 19 have been amended to specify that the body encloses the pneumatic cylinder.

Claims 1, 2, 8, 11 and 19 were rejected as being anticipated by Tunkers '3944. Since the drawings of this application are not clear in many respects, we are attaching herewith a translation of this reference as Attachment C-4. With reference to Figs. 1 and 2 of the drawings, the device of Tunkers '3944 has a body (housing 1) and a clamp having a fixed arm (a lower extension of the housing 1) and a mobile arm (tensioning arm 28) and a pneumatic cylinder (cylinder 2), the German drawing does not show a tubular element enclosing the pneumatic cylinder nor does it show opposing lateral plates welded to one end of the cylinder. The bifurcated end 8 (on opposite sides of the movement space 8) as shown in Figs. 1, 2, 3 and 6, are not lateral plates welded to one end of the body. Thus, claim 1 is not anticipated by the German application.

Claims 2, 8 and 11 do not cure the deficiency of the application with respect to the elements missing from claim 1.

Tunkers '3944 does not contain a body as claimed in claim 19 which has a central tubular element with two opposing lateral plates at the lower end thereof which encloses the pneumatic cylinder. The bifurcated end of the housing 1 does not constitute two opposing lateral plates welded to the lower end of the body, as required by claim 19. Accordingly, claim 19 is not anticipated by the German application.

An important feature of the present invention is the use of two opposing lateral plates welded to the lower part of the body which encloses the pneumatic cylinder which is effective to operate the clamping arms. The advantage of this feature is set forth in the specification at paragraph [0005] where it is stated that the claimed structure provides construction simplification and saving of the construction of the body and avoids the complex traditional high-cost manufacture of the body by machining from an element (as is conventional). The use of separate plates enables the plates 2 and 3 to be precisely dimensioned to provide a secure weld to the body and a precise openings for guiding the roller 17. An additional advantage is the fact

that the pneumatic cylinder is enclosed by the body so that it cannot be damaged during operation of the clamp. These features of the invention are neither suggested nor disclosed by references cited by the Examiner. It is noted that the published application of Horn does not show a structure which offers these same advantages. The Horn patent does not have a tubular body which houses or encloses the pneumatic cylinder for operating the clamp. The plates 22 and 26 at the lower end of the Horn clamp 10 do not support a fixed pivot shaft at the center of the claim as required by claim 1, and the Horn application does not include a fixed pivot shaft for the clamps as required by claim 19. Thus, the Horn patent does not supply the deficiencies of the Tunkers '3944 application.

Neither Tunkers '3944 nor the Horn US application discloses a clamp whose structure permits simplification and saving in the construction and assembly of the clamps. Neither of these references teaches or suggests the use of a central tubular element with lateral millings at one end which support opposing lateral plates which are welded to the body.

Claim 2 was rejected on the German Tunkers '3944. Clearly Tunkers '3944 does not disclose separate plates joined to the tubular element by welding and obviously does not include lateral millings. The grooves 9 and 10 cannot be millings, as required by claim 2. Thus, claim 2 is not anticipated by the Tunkers '3944 application.

Claim 8 was also rejected on Tunkers '3944. Since Tunkers does not have a pneumatic cylinder within a tubular element, it cannot teach or suggest spacing as required by claim 8. The element 5 which the Examiner refers to as an orifice does not admit air into the spacing between the cylinder casing and the tubular element of the body since Tunkers '3944 does not have a pneumatic cylinder within a tubular element as discussed above.

The Examiner rejected claims 3-5 on Tunkers '3944 in view of Tunkers '3519. Tunkers '3519 does not supply the deficiencies of the Tunkers '3944 application. The Tunkers '3519 patent is generally similar to the Tunkers '3944 application and is likewise deficient in that it does not show a pneumatic cylinder within a tubular body nor does it show plates welded to one end of the body. Thus, the addition of the '3944 patent does not supply the deficiency which renders claim 1 patentable. Therefore, these claims are patentable for the same reasons as claim 1.

Claim 4 is directed to openings defined by laser-beam machining. Neither of the Tunkers references teaches or suggests laser-beam machining of two opposing lateral plates welded to

one end of the body. Claim 4 is therefore patentable for this reason, in addition to the reasons advanced in connection with claim 1.

Claim 5 defines the invention more specifically setting forth that the opposed lateral plates which are welded to the body have lightening openings serving as orifices for mounting the ends of the pivot shaft along with elongated holes for guiding the transverse shaft. The addition of Tunkers '3519 to Tunkers '3944 does not cure the deficiency of Tunkers '3944 and claim 5 is properly patentable along with claim 1.

The Examiner rejected claim 6 under 103(a) as unpatentable over Tunkers '3944 in view of the Sawada published application. Claim further defines claim 1 by setting forth that the piston rod of the cylinder has a drive rod at its free end with a roller for pivoting the mobile arm. It further sets forth that the mobile arm is disposed between said opposing lateral plates and has an elongated hole adapted to pivot the activation roller in the specified manner to provide irreversibility. Neither Tunkers '3944 nor Sawada has opposed plates welded to one end of a hollow body with a pneumatic cylinder within the hollow body and, accordingly, the addition of Sawada cannot cure the deficiencies of the Tunkers '3944 application and claim 6 is properly patentable to Applicant for the same reasons as claim 1.

The Examiner rejected claim 7 as unpatentable over Tunkers 3944 in view of the Dellach patent, referring to the band 74 of Dellach. Although Dellach has end plates 74 which provide a similar function, the Dellach patent does not disclose a clamp having a tubular body which encloses a pneumatic cylinder and lateral plates welded to one end of the body, as required by claim 1. Accordingly, claim 7 is believed patentable along with claim 1.

Claims 9, 10 and 13 were rejected as being unpatentable over Tunkers '3944 in view of Tunkers '6057. Claims 9, 10 and 13 define the claimed clamp with greater particularity than claim 1 and are believed allowable along with claim 1. Tunkers '6057 does not teach or suggest a clamp having a tubular body enclosing a pneumatic cylinder, the body having lateral plates welded to one end thereof, all as required by claim 1. Accordingly, Tunkers '6057 does not cure the deficiencies of Tunkers '3944 and these claims are believed properly patentable along with claim 1.

Claims 15, 16 and 17 define the invention of claim 1 with greater particularity, and neither the Kipping patent, the Takahashi patent, the Horn published application nor the Dellach patent

cures the deficiencies set forth above set forth in claim 1 and accordingly these claims are patentable along with claim 1.

Thus, all of the claims remaining in the application are believed properly patentable to Applicant and favorable reconsideration leading to prompt passage of the case to issue is respectfully requested.